

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
PHILLIP STONE, individually and on behalf of all others :	:	
similarly situated,	:	
	:	
Plaintiff,	:	24 Civ. 3548 (JPC)
	:	
-v-	:	<u>ORDER</u>
	:	
EXOS HUMAN CAPITAL, LLC <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
-----X	:	


JOHN P. CRONAN, United States District Judge:

The Court will hear oral argument on Defendants’ motion to compel arbitration, Dkt. 24, at 2:00 p.m. on June 18, 2025, in Courtroom 12D at 500 Pearl Street, New York, NY 10007. The parties should be prepared to thoroughly discuss whether and to what extent the rules applied by the New Jersey Supreme Court in *Atalese v. U.S. Legal Services Group, L.P.*, 99 A.3d 306 (N.J. 2014) are preempted by the Federal Arbitration Act. *See, e.g., Lamps Plus, Inc. v. Varela*, 587 U.S. 176 (2019); *Kindred Nursing Ctrs. Ltd. P’ship v. Clark*, 581 U.S. 246 (2017); *AT&T Mobility LLC v. Concepcion*, 563 U.S. 333 (2011).

In addition, Plaintiff may (but is not required to) submit a surreply of no more than 5,000 words on or before June 10, 2025, addressing this issue and the arguments raised in Part I.A. of Defendants’ reply brief, Dkt. 29.

SO ORDERED.

Dated: May 20, 2025
New York, New York


JOHN P. CRONAN
United States District Judge